

REMARKS

Claims 1- 6 and 21 – 28 were rejected in the Office Action dated September 7, 2005.

Claim 21 and by dependence claims 23 – 28 have been amended and claim 25 has been canceled.

Claim 22 has been amended to depend from claim 1. The rejections are traversed on the following grounds:

Claims 1- 6 were rejected as being anticipated by U.S. Patent No. 5,680,679 to May (“May”). Claim 1 recites “an elastic loop.” May fails to teach or suggest this limitation. The Office Action asserts that element 413 of May teaches this feature. Note, however, that May nowhere teaches that the element 413 is “elastic.” Rather, May teaches simply the element is a “resilient, low-density foam core.” Resilient and low-density does not require or imply elastic. Hence, claim 1, and by dependency claims 2 – 6, are patentably distinct over May.

Claim 1 also requires that “the money holder is adapted to fit around currency.” The Office Action states that the bracelet structure 400 of May is “inherently usable to hold money.” The Office Action provides no support for this assertion, however. In fact, the very description of “bracelet” suggests that the structure 400 is adapted to fit around a hand and/or wrist. Applicant respectfully submits that the size requirements for a bracelet are significantly different than the size requirements to securing currency and, as such, nothing in May teaches or suggests that the structure is “adapted to fit around currency,” as required by claim 1, and by dependency claims 2 – 6.

Claims 21, 22, and 28 were rejected as being anticipated by U.S. Patent No. 6,230,878 to Lehr (“Lehr”). Claim 21 has been amended to recite that the elastic loop has “a first end . . . affixed to a first side of the charm and a second end . . . affixed to a second side of the charm.”

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Lehr fails to teach or suggest this limitation. In fact, in Lehr, the loop is a continuous loop without a first or second end. Claim 22 has been amended to depend from claim 1, which is allowable over the prior art for the reasons provided above. Claim 28, which does recite a "continuous loop," is nonetheless patentably distinct over Lehr by virtue of its dependence from claim 21.

Claims 21 and 23 – 25 were rejected as being anticipated by U.S. Patent No. 5,279,019 to Knickle ("Knickle"). Claim 25 has been canceled herein. Applicant traverses the rejection of claims 21, 23, and 24 as follows.

As the Office Action states, in Knickle, "the two ends of the elastic member are secured together within the folded over charm 20." As the Office Action recognizes, in Knickle, the ends of the loop are attached to each other, not to the sides of the charm. By contrast, claim 21 as amended, requires that the first end of the loop is affixed to a first side of the charm, and the second end of the loop is affixed to a second side of the charm. This feature is not taught or suggested in Knickle. Therefore, claim 21, and by dependence claims 23 – 24, are patentably distinct from Knickle.

Claims 26 and 27 were rejected as being obvious over the combination of Lehr in view of May. Applicant respectfully traverses the assertion that it would have been obvious to combine Lehr and May. As discussed above, May fails to teach or suggest an elastic member for holding currency. In fact, May does not address the problem of holding currency at all. May is directed to an entirely different issue retaining items such as keys and sunglasses when engaged in water sports (see May Abstract). Considering that it is not at all desirable to immerse paper currency in water, Applicant respectfully submits that one skilled in the art would have no motivation to

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combine May with Lehr. Simply put, May and Lehr are directed to entirely different problems that are solved in substantially different ways. There is no motivation for combining such disparate references without the benefit of hindsight afforded by Applicant's own disclosure. Claims 26 and 27 are further patentably distinct over the prior art for the reasons provided above with respect to claim 21 from which they depend.

Applicant believes that the claims as amended are allowable over the prior art and respectfully requests a prompt indication of the allowance of claims 1 - 6 and 21 - 28.

If the Examiner should have any questions, Applicant requests that the Examiner contact Applicants' attorney at the address below. No fee is believed due in connection with this filing. However, in the event that there are any fees due, please charge the same, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,



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